



Mendon Water Department Rules and Regulations

Effective date March 5, 2012 by vote of the Mendon Water Commission.

The Mendon Water Department was established pursuant to its authority under MGL Chapter 41, 69B and the provisions of Chapter 528 of the Acts of 1946. The Mendon Water Department hereby promulgates the following Rules and Regulations. These Rules and Regulations and all subsequent changes in same or amendments and additions thereto shall constitute a part of the contract with every person, corporation and owner of property supplied with town water, and every such person, corporation and property owner using such supply shall be considered as having expressed consent to be bound thereby.

The Board of Water Commissioners may change Department regulations and rates as occasion may require.

Should any provision of these Rules and Regulations be found by a court of competent jurisdiction to be invalid or unenforceable, then the validity of other provisions of these Rules and Regulations shall not be affected or impaired thereby.

Definitions

DEPARTMENT: Water Department of the Town of Mendon

CONSUMER: The term “consumer” shall mean the individual, corporation, or firm whose name is currently on record as the party who has applied for a water service or any individual, firm or corporation who, in fact, uses the public water supply of the Town of Mendon connections are made.

MAIN: A main is a supply pipe usually laid in the street from which service

SERVICE: A service line is the line (pipe) that comes from the water main to the lot line. (approx.)

CONSUMER SERVICE LINE: The consumer service line starts at the curb stop.

CURB STOP: Point on the consumer’s lot line where the Department can turn off the water.

CROSS CONNECTION: Cross connection is any physical connection or arrangement of piping or fixture between two otherwise separate-piping systems one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, back flow or siphonage may occur into the potable water system.

POTABLE: Water from a source which has been approved by the Department of Environmental protection as being safe for human consumption.

PRIVATE WAY: A street or road that has not been accepted by the Town.

ENFORCING PERSON: Shall mean the Town’s Board of Water Commission, its duly appointed agents, employees and members, the Board of Health, the Town Police, Special Police, and any other person designated by the Town as having police powers.

STATE OF WATER SUPPLY EMERGENCY: Shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M. G. L. c.21G: see 15-17.

STATE OF WATER SUPPLY CONSERVATION: Shall mean a State of Water Supply Conservation declared by the Water Commissioners.

Application for Service

1. All applications for water service must be made in writing on a form provided by the Water Commissioners. The application for service must be made by the property owner.
2. No agreement will be entered into by the Water Department until all arrears and charges due at any premises are paid in full. Any municipal liens on the property are to be paid and removed before service is transferred to new owner.
3. The accepted application by the Water Department shall constitute a contract between the Water Department and the applicant, obligating the applicant to pay to the Department its rates as established periodically and to comply with its Rules and Regulations.
4. Applications for service installations will be subject to the availability of water at the source and subject to there being an existing main in a street or right-of-way abutting the premises to be served. These Rules and Regulations in no way obligate the Department to extend its mains to service the premises under consideration. No connections that result in the system exceeding the safe yield of its sources or the hydraulic capacity of its distribution system shall not be allowed.
5. When the ownership of a property changes, the full name and address of the new owner should be given to the Water Department at once in order that bills may be properly rendered.
6. When a prospective customer has made application for a new service or has applied for reinstatement of an existing service, it is assumed that the piping and fixtures on the outlet side of the curb stop both to and in the premises to be supplied are in order to receive same. The Department will not be liable in any case for an accident, breaks or leakage on the outlet side of the curb stop
7. Customers wishing to discontinue water service must notify the Water Department in writing.
8. Any customer who wishes to install a private well for the sole purpose of irrigation and/or watering of lawns must make application to the Mendon Board of Health for a permit prior to the installation of the well.

Metered Service

1. All service, except for fire hydrants, shall be metered. An individual meter shall be required for each separately owned premises and for each separate service connection.
2. Each new meter and remote reader shall be purchased and installed by the Department at the customer's expense. The meter shall be of such size and design as is reasonably necessary to serve the customer involved. Ownership of the meter and remote reader shall be, at all times, with the Department. The Department shall be responsible for the maintenance, including necessary replacement, of each meter and remote reader at its own expense with two exceptions:
 - a. If the meter or remote reader is damaged by the willful act or negligence of the customer, the customer shall be responsible for all costs of repair or replacement.

- b. In the case of a customer whose meter registers in excess of 15,000 cubic feet during any quarterly billing cycle, it is recommended by the Department of Environmental Protection that such meters be calibrated annually. The Water Department shall be responsible for the calibration of the meter and the customer shall be responsible for all costs.
3. The quantity of water recorded by the meter shall be accepted as conclusive by both the customer and the Department except when the meter has been found to be registering inaccurately, or has ceased to register. In any such case, the quantity may be determined by the average registration of the meter in a corresponding period.
4. The Department reserves the right to remove and to test any meter at any time and to substitute another meter in its place.
5. In the case of a disputed account involving a question as to the accuracy of the meter, such meter will be tested by the Department upon the request of the applicant. If the meter is found to have an error to the detriment of the customer, the current bill based on the last reading of such meter shall be corrected accordingly. If, however, no error is found, the applicant shall pay the cost of the testing.
6. No one, other than an agent of the Department, shall remove, inspect, change location, or tamper with the meter. As soon as it comes to the customer's knowledge, that customer shall notify the Department of any injury to, or malfunction of the meter. Unauthorized tampering is punishable under Massachusetts laws and could result in revocation of water service.
7. If a meter is frozen, no fire or torch or water above 125 degrees F can be used to thaw the meter safely. If the meter is injured by freezing or over heating, the property owner must notify the Department. The cost of repairs to the meter shall be paid by the property owner.
8. Any unmetered water under emergency (fire) or unusual circumstances (by town department) requires the permission of a board member or its operator, when feasible, and will be billed on an estimated rate. Any private contractor removing water from hydrants, pipes or mains or other components without the permission of the board or its operator will be fined \$500.00 plus estimated cost of water.
9. All water passing through a consumer service line is charged for whether it is used or wasted through leakage. At its discretion and by vote of the Water Commissioners, the Department may make an exception to this rule.
10. As defined in Massachusetts General Laws, Ch. 165, and CMR 22.22 any authorized agent of the Mendon Water Department shall have the right of access at all reasonable hours to the premises supplied by water for the purpose listed below. If entry is not granted within 30 days of first notice water will be shut off at curb stop until entry is granted. Turn off and turn on fees will be applied plus administrative fees.
 - a. Reading meters
 - b. Examining fixtures and pipes
 - c. Observing the manner of using water
 - d. To repair, test or replace meters and the connecting features
 - e. To inspect cross connections connected to the water system
 - f. To test devices installed for the purpose of preventing cross connections or backflow

11. No person shall be deemed to be an authorized agent of the Department entitled to access unless he or she displays on an outer garment a picture identification, the agent's name, and the name of the Department.

Service Connections

1. Original mains, hydrants and service connections from the main to the curb line shall be installed under the direction of a licensed contractor approved by the Department. Materials and methods of construction shall be approved by the Department. These mains, hydrants and service connections from the main to the curb line remain, at all times, the sole property of the Town, and shall not be trespassed upon or interfered with in any respect. No person shall make any attachments or connections to the pipes of the water system, nor make any repairs, additions to, or alterations to the water pipes beginning at the house side of the meter and running to the water main. This property shall be maintained by the Department and may be removed or changed at any time.
2. Curb stops shall not be used by the customer or his agent for turning on or shutting off the water supply. The control of the water supply by the customer shall be by means of a separate stop, located in general just inside the building wall. Curb stops are for the exclusive use of the Department.
3. All service pipes shall have a minimum cover of five feet. All service pipes shall not be less in size than one inch inside diameter.
4. The entire cost of installation from the curb line to the premises shall be the responsibility of the owner of the premises. The minimum size and cover shall be the same as that used from the main to the property line. If the service has not been installed in accordance with the Mendon Water Department's requirements, water service will not be turned on until such defects have been remedied. The service pipe between the curb line and the premises and all piping and fixtures on or in the premises of the customer shall be maintained by the customer and the work performed by a licensed plumber in a manner satisfactory to the Department.
5. Any private contractor working on the premises owned by the customer who does any damage to the curb stop and/or shut off valve to those premises shall be solely responsible for the entire costs of repair or replacement.
6. No service pipe shall be laid in the same trench with gas pipe, sewer pipe, or any other facility of a public service company, nor within three feet of any excavation or vault.
7. On future installations or re-installations of service lines, one service pipe will supply each separate service connection. Any person that creates or converts to a condominium facility will require separate water services to each unit. Where more than one premises is now supplied through one service pipe, and under the control of one curb cock, any violation of the rules of the Department by either or any of the customers so supplied shall be deemed a violation by all and the Department may take such actions as could be taken against a single customer. Such action shall not be taken until the innocent customer who is not in violation of the Department's rules, has been given a reasonable opportunity to attach his pipe to a separate controlled service connection.
8. The Department shall in no event be responsible for maintenance of, or for damage done by water escaping from the service pipe or another pipe and fixture on the outlet side of the curb cock. The customer shall, at all times, comply with State and Municipal regulations in

reference thereto and shall make any changes thereon required on account of change of grade, relocation of mains or otherwise.

9. The Department reserves the right in times of emergency to shut off the water temporarily without notice for necessary repairs, extensions, alteration, or other necessary work connected with the distribution system. The Department will not be held responsible for the water supplied at a time of power or mechanical failure or for any interruption of service beyond its control.

Fees and Penalties for Nonpayment of Water Bills

1. Water Bills will be sent quarterly and are payable upon receipt, but shall not be considered overdue until 30 days from the date of the postmark. If not paid within the 30 day grace period, a late fee of \$25.00 per quarter will be added plus 14% interest per annum computed from the date of the bill. Failure to pay before the next billing cycle may result in termination of water service.
 - a. On the 30th day a reminder notice will be issued with all applicable late fees
 - b. On the 45th day a past due notice will be issued by mail and (or) certified mail with interest along with the final date for shutoff plus a \$50.00 administrative fee,
 - c. On or about the 90th day notice will be delivered to the home in the form of a blue letter notifying the occupant that the water service will be shut off within 48 hours of notice. All bills, penalties, and administration cost must be paid in full before water service is restored, unless a payment plan has been worked out with the Mendon Water Board.
2. Any property that has terminated service with the town must notify the Board of Health and have obtained proper permits to use well water, at which time water service will be shut off to the property. The property owner must notify the Mendon Water Board of any request to hook back to the town water service, at which time the Water Board will determine if water supply service is available to grant the request, all new connection fees will apply (page 5 section 7) and water will be reconnected by the town's operator. Any service turned back on by owner or hired parties will face both a \$2,500.00 fine plus loss of any reconnection privileges and the right to pull plumbing permits in the Town of Mendon.
3. When ownership changes, the name of the new owner must be given to the Water Department in writing upon transfer. When reasonable efforts to collect payment for overdue bills fail and the water user is under some sort of rental or lease agreement, the Department will look to the owner (the signer of the original water application) for payment.
4. If after 60 days the bill remains unpaid, a shut-off notice in the form of a certified letter will be sent rendering a forty-eight hour notice of water termination. By State Law (M.G.L. Chapter 40: Section 42B "Effective date of lien; termination; enforcement") all charges for water or service become a lien against the property immediately following the due date for such charge. There will be no termination of service between November 1st and April 1st.
5. The water will not be turned on again until the Commissioners are satisfied that all amounts owed have been paid.

Additional Fees and Charges

1. Insufficient funds check return: \$25.00

2. Turn on and turn off fees: \$50.00 each
3. Meter reading for property transfers: \$50.00
4. Any type of water testing required by the Department of Environmental Protection in connection with private construction. Also, any request for any type of water testing requested by customers or private concerns. Charges will be for the test, labor and any necessary travel.
5. Installation and testing of back-flow devices (cross connections) mandated by the Department of Environmental Protection. (Cost plus 20%)
6. Fire sprinkler systems: Quarterly fee of \$50.00
7. Service fee for new residential construction: 2 bedroom, \$1500; 3 bedroom, \$2100; 4 bedroom, \$2800. This shall be paid before the connection is made.
8. And hereinafter, any charges as deemed required by the Board of Water Commissioners. Also these fees shall be reviewed and updated as needed.

Cross Connections

The Mendon Water Department accepts the Department of Environmental Protection Rules and Regulations as set forth in 310 CMR 22.22 on Cross Connection System Protection. A copy is available at the Water Department.

Fire Service

1. Hydrant Location: All hydrants shall be located at no greater distance than 800 feet apart. In general, hydrant spacing shall conform to approximately 800 feet between hydrants. Hydrants shall be located where they shall not interfere with driveways. Where possible, they should be located near street corners.
2. Hydrants shall be of the dry barrel type and shall conform in the design and manufacturing to the latest issue of AWWA standard C502 "Standard for Fire Hydrants." Hydrants shall be of the best quality and design.
3. Bury length shall be 5 feet 6 inches.
4. All hydrants shall be gated and flagged. All gates shall open in the same direction.
5. Water from fire hydrants or other fire protection systems shall be used only for fire protection purposes, except that water from public fire hydrants may be used in a reasonable amount and at such times as the Department may permit, for the purposes of testing hydrants and fire fighting apparatus and for the training of Mendon Fire Department personnel. This permission may not be granted during times of a Declaration by the Mendon Water Department of a State of Water Supply Conservation or a Declaration by the Department of Environmental Protection of a State of Water Supply Emergency. Such tests shall be conducted only by properly authorized agents of the Mendon Fire Department. Any unauthorized use of water from a fire hydrant or other fire protection system shall be punishable by a fine of not less than \$300.

6. The Mendon Board of Water Commissioners shall be notified, on the forms designated for that purpose, the metered or best estimate of the amount of water used for both the fighting of fires and the testing of fire fighting apparatus within 30 days of such use.

New Development

1. The developer shall pay for all materials, labor, tools, equipment, main line valves, supervision and inspection, together with the necessary overhead items in connection with the installation of water main cut-ins to existing Water Department mains. All work of connecting new mains shall be done by a contractor approved by the Department. Inspection shall be performed by an independent, qualified engineer. This rule also applies to any increase in diameter of existing water mains that is engineers deem necessary to adequately serve the development.
2. Before any water mains and appurtenances which are to be connected to the public water supply system are laid or materials acquired, plans shall be submitted for approval by the Board of Water Commissioners, showing size and location or proposed pipelines, hydrants, valves, type of pipe used, together with all property sub-division and lot lines, and no mains shall be laid nor appurtenances installed until written approval of the Board of Water Commissioners has been obtained.
3. The Water Department shall not be responsible for maintenance of pipe on any private way.
4. If the size of water mains must be increased in diameter to serve the development, the developer shall pay the cost.

Water Use Restriction

The Board of Water Commissioner, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers.

1. A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting use of water as necessary to protect the water supply.
 - a. Odd/Even Day Outdoor Watering Outdoor watering by water users with odd-numbered address is restricted to odd-numbered days. Outdoor watering by water users with even-numbered addresses is restricted to even-numbered days.
 - b. Outdoor Watering Ban Outdoor watering is prohibited.
 - c. Outdoor Watering Hours Outdoor watering is permitted only for a period not to exceed two hours per user or consumer per day and only during the period from 7:00 P.M. to 7:00 A.M.
 - d. Filling Swimming Pools Filling of swimming pools is prohibited.
 - e. Automatic Sprinkler Use The use of automatic sprinkler systems is prohibited.
2. Notification of any provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Conservation. Any restriction imposed shall not be effective until such notification is provided. Notification of the State of Water Supply

Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

3. A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners, upon a determination that the condition or condition (s) no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required as the declaration.
4. Upon notification to the public that the Department of Environmental Protection has issued a declaration of a State of Water Supply Emergency, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.
5. The enforcing persons, as defined, may enforce the provisions of this regulation. Any person violating this regulation as an alternative to criminal prosecution, the enforcing person may enforce this regulation pursuant to the non-criminal disposition statute, G.L. c.40, S.21D, and the Town's non-criminal disposition Bylaw of the General Bylaws. The non-criminal penalty for violation of provision of this regulation shall be:

First Offense:	\$50.00
Second Offense:	\$100.00
Third and subsequent Offenses:	\$200.00
6. Any additional reasonable restriction imposed on the Mendon Water Department by its contracted water suppliers.
7. The invalidity of any portion or provision of this regulation shall not invalidate any other portion or provision thereof.

Irrigation Wells

If a private well is used for irrigation and/or watering of lawns, the customer shall place a sign, clearly visible from the road in front of the premises, to indicate that a well is the source of the water.

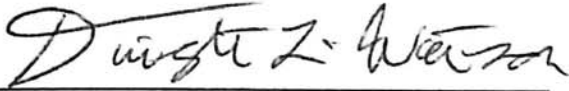
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Dwight Watson, Chairman

Vincent Cataldo, Commissioner

Robert Gilchrist, Commissioner

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